

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,)
Plaintiff,) 8:09CR411
vs.)
EDDIE WOODS,)
Defendant.) ORDER

This matter is before the court on the motion of defendant Eddie Woods (Woods) for pretrial release ([Filing No. 24](#)), for a continuance of trial ([Filing No. 27](#)), and the oral motion of Hugh P. Reefe to withdraw as counsel for Woods. The court held a hearing on the motions on February 19, 2010. The court determined that Mr. Reefe's motion to withdraw should be granted and substitute counsel will be appointed.

The court finds Woods continues to be eligible for appointment of counsel pursuant to the Criminal Justice Act, 18 U.S.C. §3006A, and the Amended Criminal Justice Act Plan for the District of Nebraska. Jerry Hug, 1823 Harney Street, #1004, Omaha, NE 68102, (402) 346-1733, is appointed to represent Bogard for the balance of these proceedings pursuant to the Criminal Justice Act. Mr. Hug shall file his appearance in this matter forthwith. The clerk shall provide a copy of this order to Mr. Hug and to the Federal Public Defender. Mr. Reefe shall forthwith provide Mr. Hug with the discovery materials provided the defendant by the government and such other materials obtained by Mr. Reefe which are material to Woods's defense.

In order to provide new counsel adequate time to prepare for trial, Woods's motion to continue trial ([Filing No. 27](#)) is granted. Trial of this matter is rescheduled before Judge Laurie Smith Camp and a jury commencing at 9:00 a.m. on April 6, 2010. Woods acknowledges the time provided would be excluded from the computations under the Speedy Trial Act ([Filing No. 29](#)). The additional **time** arising as a result of the granting of the request, i.e., the time between **February 19, 2010 and April 6, 2010**, shall be deemed **excludable** time in any computation of time under the requirement of the Speedy Trial Act

for the reason that counsel require additional time to adequately prepare the case. The failure to grant additional time might result in a miscarriage of justice. 18 U.S.C. § 3161(h)(8)(A) & (B).

For the reasons stated on the record, Woods's motion for pretrial release (Filing No. 24) is denied.

IT IS SO ORDERED.

DATED this 19th day of February, 2010.

BY THE COURT:

s/Thomas D. Thalken
United States Magistrate Judge